

Writer's Direct Dial
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February 6, 2019

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
AND REGULAR U.S. MAIL

Richard Bertovich, Assistant Law Director
City of Cleveland
601 Lakeside Avenue
Cleveland, Ohio 44114

Re: "Old" Ontario and MLO Property Trust

Dear Richard:

I am remiss in not more promptly following up on our recent call regarding MLO Properties and the City. As we discussed, MLO submitted an O.R.C. §149.42 Request to the City on November 13, 2018, and followed up on December 4, 2018. I have attached copies of the identified letters and accompanying informational/background materials for your review and information.

However, I reviewed my notes from our call which refreshed my recollection that you indicated: (i) that the City (possibly yourself, on behalf of Ms. Langhenry) had formally responded to the foregoing request and follow up; and (ii) that in sum and substance the City had 'no records' responsive to the Request. Unfortunately, we have received no such formal response, and no other response than your informal recollection of a possible response indicating 'no records'. If such a response was indeed made and sent, please e-mail me a copy at your earliest convenience.

Additionally, as we informally discussed, it is difficult to understand how the City could have undertaken and completed a project as extensive as: (i) the physical removal of 'old' Ontario for a distance of several hundred feet; (ii) the installation of a pedestrian-bicyclist walkway-parkway comprising several thousand square feet of paving; (iii) the erection of a property line fence of several hundred feet in length, with bicycle racks; and (iv) substantial

EXHIBIT "G"

February 12, 2019

Page 2

landscaping and similar vegetation/grass, shrub and similar plantings, without maintaining a single record of this activity and undeniably substantial cost.

I call your attention again to the November 13, 2018 Request at the first Paragraph of Page 2 at item 1, at (a) and (b), which clearly anticipates the production of records of the activities noted in the third paragraph above.

Therefore, I am requesting that you please promptly conduct a renewed search of the records of the City in view of the foregoing and the other Requests set forth in the November 13, 2018 *and* December 4, 2018 letters.

In summary, if you are correct and your anticipated renewed search demonstrates that the City indeed has no records responsive to the Request, it would be expected that this determination would be simple and prompt, especially since the City had indeed conducted an earlier search and also formally responded in the negative as you indicated.

Therefore, I reiterate the deadlines set forth at Paragraph 3 of page 2 of the November 13, 2018 letter (e.g. that the City respond within ten (10) days if there will be delay in satisfying the Request of more than thirty (30) days from the delivery of this communication). I look forward to your response in the next ten (10) days. If you have any questions regarding this communication, or the prior matters, please contact me at your earliest convenience

Very truly yours,



Robert W. McIntyre

enclosure(s)